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Docket No.: PR0032USPCT

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REMARKS

Reconsideration of this application is respectfully requested. The specification has been amended to correct an inadvertent and typographical error in Table 6a. There has been no change in substance and no new matter is involved.

Claims 1, 19, 22 and 23 have been amended to more precisely claim the present invention and to incorporate therein an additional limitation contained in the specification on page 8 at lines 15 and 16. Claim 11 has been amended to more precisely claim the metal salt and to incorporate therein an additional limitation contained in the specification on page 7 at line 29. Claim 21 has been amended to provide proper antecedent basis. Also, new dependent Claims 26 through 30 have been added in order to further define the image transfer element of Claim 1.

Applicants respectfully submit that Claims 1, 19, 22 and 23 as amended are now patentable over either Hashimoto et al. (U.S. 4,783,375) or Ohno et al. (U.S. 4,806,422) under 35 U.S.C. 103(a). The colorant layer of the present invention contains specifically claimed metal salts which are neither zinc acetate nor sodium acetate. The claimed metal salts provide a colorant layer capable of providing high quality images over a variety of operating conditions including, but not limited to, laser power (in Watts) and drum speed, as well as imaging sensitivity at low humidity. Example 1 shows that the incorporation of ammonium citrate into a cyan donor composition resulted in improved imaging latitude for S1 of the present invention. Data in Table 4b show that the addition of sodium L-tartrate improved the imaging latitude of S4 versus C4 at both 22% and 45% relative humidity. Data in Tables 4c and 4d illustrate the beneficial effect of sodium acetate wherein there is better overall imaging latitude particularly at low humidity. Example 5 demonstrates the effect of polyacid salts on imaging at low humidity, for example, 22% relative humidity. Tables 5b, 5c, 5d and 5e illustrate the improved imaging latitude for S7, S8, S9, S10 at low humidity, when compared to C6. S7, S8, S9, and S10 showed increased density at each power setting and corresponding energy range at 22% relative humidity. Thus, the samples of the present invention provided better imaging latitude than C6. None of the claimed metal salts is shown or suggested by the disclosed metal salts of Hashimoto et al. and Ohno et al. since such references do not suggest that the metal salts provide improved imaging latitude, particularly at low humidity, as demonstrated by the present Examples. Since Hashimoto et al. and Ohno et al. neither show nor suggest a colorant layer containing the metal salts specifically recited now in Claims 1, 19, 22 and 23, it is respectfully submitted that the invention now defined in such claims is not anticipated nor obvious over either Hashimoto et al. or Ohno et al.

The rejection of Claims 1 through 7 and 11 through 25 as being unpatentable over either Hashimoto et al. or Ohno et al. in view of Blanchet-Fincher et al. (U.S. 6,146,792), under 35 U.S.C. 103(a), is respectfully traversed. Blanchet-Fincher et al. disclose the use of

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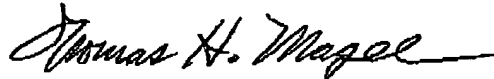
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light-to-heat conversion (LTHC) layers and ejection layers in image transfer elements. However, there is no motivation to put such LTHC and ejection layers between the stick-preventing layer of Ohno et al. and the support because there is no teaching in Ohno et al. that would suggest transferring the stick-preventing layer from its support. In Hashimoto et al., the amorphous polyester in the transfer layer is a heat-sensitive binder "being present in an amount of at least 50% by volume based on solid components of the transfer layer." The heat-sensitive layers of Hashimoto et al. are equivalent to the heat-fusible binders of Blanchet-Fincher et al., but Blanchet-Fincher et al. at column 11 line 5 discloses: "However, heat-fusible binders, such as waxes should be avoided as the sole binder since such binders may not be as durable, although they are useful as cobinders in decreasing the melting point of the top layer.", and at column 11 line 31: "The binder (polymer) generally has a concentration of about 15-50% by weight, based on the total weight of the transfer layer, preferably 30-40% by weight." Thus, there is no motivation to combine and significant teaching away from Hashimoto et al.'s top layer as being suitable for Blanchet-Fincher et al.

Claims 2 through 7, 11 through 18, 20, 21, 24 and 25 incorporate the patentable novelty of Claims 1 and 23, respectively. Therefore, the allowance of Claims 2 through 7, 11 through 18, 20, 21, 24 and 25 appear to be in order for at least the reasons given with respect to Claims 1 and 23.

Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



THOMAS H. MAGEE
ATTORNEY FOR APPLICANTS
Registration No.: 27,355
Telephone: (302) 892-0795
Facsimile: (302) 892-7949

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